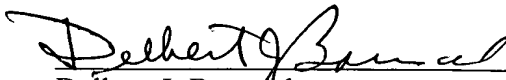




PATENT APPLICATION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 22, 2004.

April 22, 2004

  
Delbert J. Barnard  
Registration No. 20,515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit:	3611
Examiner:	Cassandra Hope Davis
Applicant:	Richard Eric Nemeth
Serial No.:	09/669,150
Filed:	September 25, 2000
For:	HEAD MOUNTED LETTER "M" DISPLAY
Date:	April 22, 2004

**DECLARATION OF JOHN NEMETH UNDER 37 C.F.R. §1.131**

I, JOHN NEMETH, do hereby declare and say that:

1. I am the father of Richard Eric Nemeth and Erin Cox.
2. On May 29, 2000, I received a telephone call from my son Richard Eric Nemeth while I was at work. He told me that he was going to go to the Mariner's baseball game to be played that night and he asked me to videotape the game for him.

3. Richard Eric Nemeth told me about some foam "M" hats that he had made. He told me that he, my daughter Erin Cox, her husband Patrick Cox, and Jeff Nickerson, one of my son's friend, would be at the Mariner's games wearing the "M" hats and sitting in seats that were behind one of the dugouts.

4. As requested to do by my son Richard Eric Nemeth, I videotaped the game and give the tape to my son Richard Eric Nemeth the next day. Exhibit III is a still picture made from the videotape of the broadcast of the game. My daughter Erin Cox is shown in this picture wearing a "M" hat.

I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, pursuant to 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the patent application and any patent issuing thereon.

20 April 2004  
DATE

John Nemeth  
JOHN NEMETH